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THE

INTERIM

A REPORT OF INTERIM ACTIVITY . . . MONTANA LEGISLATIVE COUNCIL . . . HELENA

MAY 1978

VOL. I NO. 6

PLEASE RETURN

RESULTS OF NEWSLETTER POLL FAVORABLE

As of the preparation of this report we had received 104 replies to last month's poll on the newsletter. Ninety-seven responses favored continuing the newsletter and five opposed continuance. The Legislative Council decided to continue to publish the newsletter based on this response and its relatively low cost. We received a number of constructive suggestions, including improving the quality of the type face, that we plan to act on within the next few months. We hope this publication will continue to serve your needs and look forward to hearing from you at any time.

STATE DOCUMENTS COLLECTION

LEGISLATIVE COUNCIL

MEETING SCHEDULED JUNE 1

The Legislative Council met April 24 to make a preliminary review of the budget for the 1979-1981 biennium. Budget considerations will extend through the early summer. The next meeting has been scheduled for June 1.

BOBINSKI RESIGNS

John Bobinski, staff attorney with the Legislative Council since April 1976 has resigned effective May 5 to take a position with the Department of Administration, Personnel Division.

INTERIM COMMITTEES

WATER RIGHTS

The Subcommittee on Water Rights met April 14 and 15 to hear recommendations from the Department of Natural Resources on improving the system for the determination of existing water rights. The committee also heard from a number of Indian spokesmen who presented the

Indian point of view on how the state water rights system should relate to Indian water rights. Following these presentations, the committee made preliminary recommendations to establish a system of water judges who will function at the level of the district judges in matters arising under the water laws only. The committee also decided to establish a mandatory filing period during which all persons who wish to claim a pre-1973 water right would be required to file that claim. The committee also decided that some procedure be established to bring a consideration of Indian and federal reserved rights before the water courts. The committee plans to meet May 20 and June 2 to further consider its preliminary recommendations which will then be subjected to broad comment. Final recommendations based on public comment should be ready in August.

SUBDIVISION LAWS

The Subcommittee on Subdivisions met on Thursday, April 6. After discussion of a wide range of problems confronting local governments and developers with respect to subdivisions, the subcommittee decided to review draft legislation on the following subjects at its next meeting: modification of the Special Improvement District and Rural Improvement District procedures; the use of industrial development bonds to finance quality subdivision services and general expansion of revenue bonding authority for those purposes; alternatives for review of all divisions of land, with summary review of low impact subdivisions; modification of parkland requirements to allow for dedication on a density basis and use of park funds; clarification of rural building code statutes; alternatives for increased local health review of sanitary restrictions; and minor "clean-up" changes in the subdivision law. The subcommittee plans to meet again in mid-June to begin to finalize its recommendations.

STATE LEGAL SERVICES AND ELECTION LAWS

The Subcommittee on State Legal Services and Election Laws met in Helena April 29. The committee decided to prepare legislation to create a legal services review board to review requests by state agencies to hire outside legal counsel and to increase accountability and efficiency in the use of lawyers by the state. The committee reviewed the second draft of a revised election code and voted to consolidate administration of all elections, except school trustee

elections, under a local election administrator, to clearly define the responsibility of the secretary of state and to require that an individual must register to vote in the same district in which he resides. Further work on sections dealing with non-partisan elections, voting machines and devices, and campaign finance and practices will be done at a subcommittee meeting scheduled for Monday, June 12. The next meeting of the entire committee is scheduled for June 26.

LOCAL
GOVERNMENT
LAWS

The Subcommittee on Local Government Laws held its final meeting April 14 and voted 7 to 5 to recommend that HB 122 not be adopted. The subcommittee has completed its assigned tasks. No future meetings of the subcommittee will be held. Majority and minority reports are being prepared to be included in the final report of the subcommittee.

LEGISLATIVE
IMPROVEMENT

The Legislative Improvement Committee held its last meeting on April 25 to approve the final draft of the report to be mailed in early June to all legislators. Members of the committee have pledged their support in presenting the legislative improvement items at their respective caucuses in November and to endeavor to implement each of the recommendations.

ADMINISTRATIVE CODE COMMITTEE

TENTATIVE
MEETING
DATE SET

The Administrative Code Committee has tentatively planned a May 24 meeting for 11:00 a.m. in room 436 of the Capitol.

CAPITOL BUILDING AND PLANNING COMMITTEE

MEETING HELD
APRIL 24

The Capitol Building and Planning Committee met April 24 to review a broad range of issues relating to an update of the Capitol area master plan. The committee heard reports on the planning being done by the executive branch to determine the best way to meet state agency office space requirements in the Capitol complex. Committee members were concerned that a means be found to assure

that a legislative wing addition to the Capitol be considered in conjunction with this work. The committee plans to meet again in September to make final recommendations.

LEGISLATIVE AUDIT COMMITTEE

MEETING
MAY 11

The Legislative Audit Committee will meet May 11 at the Capitol.

Reports to be presented to the committee are: Department of Administration, Treasury Division; Department of Labor and Industry, Division of Employment Security; and Department of Institutions, Warm Springs State Hospital -- Supplemental Report.

SUNSET
AUDIT
HEARING

The first of a series of Sunset Audit hearings will also be conducted May 11. This hearing will concern the Board of Abstracters.

